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HOUSE BILL 3023

By McAfee

AN ACT relative to fees and purchasing in state parks and to amend Chapter 3 of Title 11.

WHEREAS the budget crisis of the State of Tennessee may soon adversely impact the state parks; and

WHEREAS the Department of Environment and Conservation is attempting to maximize revenues for the state parks in every way possible; and

WHEREAS the Department of Environment and Conservation already has the legal authority to charge fees at the state parks and has been doing so and is currently engaged in the process of proposing additional fees; and

WHEREAS the General Assembly wishes to provide through this legislation additional means for the state parks to maintain and improve the current level of services at the current level of state appropriations

WHEREAS the General Assembly recognizes that the acceptance of paying additional fees by the public may be enhanced by the knowledge that the fees would stay with the parks rather than being going to the state general fund and will not simply be used to replace state appropriations;

THEREFORE,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

Section 1. Tennessee Code Annotated Section 11-3-111 is amended by adding the following as an appropriately designated subsection:

() The state parks may make purchases of goods for resale or supplies at revenue generating operations without following the procedures and requirements of Chapter 3 of Title 12, provided that if an item is purchased when an item of the same quality is available through state contracts made pursuant to the requirements of Chapter 3 of Title 12, the amount paid for such item shall not exceed the cost that would be paid under the state contract.

Section 2. Part 1 of Chapter 3 of Title 11 of the Tennessee Code Annotated is amended by adding the following as an appropriately designated section:

(a) It is the intent of the General Assembly that any new user fees charged at state parks after the effective date of this act shall not be a replacement for State appropriations, but shall be additional revenue for the parks.

(b) The Commissioner shall not increase user fees charged at state parks to offset any reduction in state appropriations for the parks.

Section 3. Part 1 of Chapter 3 of Title 11 of the Tennessee Code Annotated is amended by deleting section 11-3-118 in its entirety.

Section 4. Section 11-3-302 of the Tennessee Code Annotated is amended by deleting the words, "voluntary contribution" in subsection (a).

Section 5. Section 11-3-302 of the Tennessee Code Annotated is further amended by deleting subsection (h) and substituting the following in its place:

(h) Any revenues realized from user fees charged by the state parks shall be deposited in a sub-account within the fund which shall be governed by all provisions of this part except the restriction regarding salaries in section 11-3-304.

Section 6. This Act shall take effect upon becoming a law, the public welfare requiring it.